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### **Remarks/Arguments**

Examiner Ms. Joannie Garcia is thanked for the thorough Office Action.

### **In the Claims**

Parent claim 1 is amended to include the subject matter of objected to claim 3.  
Parent claim 1 should be allowable. Claim 1 is amended to change "having" to "being".

Claim 3 is canceled.

Claim 36 is canceled.

No new matter is added.

Applicant respectfully requests entry of the amendments for potential purposes of appeal.

### **Objections to the Claims**

#### **Objection to claim 36**

Objection of claim 36 is acknowledged. Claim 36 is canceled.

### **CLAIM REJECTIONS:**

#### **Rejection Of Claims 1, 2, 7, 8 and 14 Under 35 U.S.C. § 102(B) as being anticipated by Burr (US 2003/017 869 8 A1)**

The rejection of claims 1, 2, 7, 8 and 14 under 35 U.S.C. § 102(B) as being anticipated by Burr (US 2003/017 869 8 A1) is acknowledged. Reconsideration and withdraw is respectfully requested in view of the amendments.

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The subject matter of objected to claim 3 is added to parent claim 1.  
Therefore parent claim 1 and all the dependent claims that depend from claim 1 are also allowable.

This amendment is not a concession that the previous version of claim 1 is not allowable. This amendment made to accelerate the allowance of claims. Applicant still maintains that previous claim 1 is allowable for the reasons stated in the previous response to office action. Nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper. and the amendment of any claim does not necessarily signify concession of the unpatentability of the claim prior to its amendment.

**Rejection of claims 12, 13, 15, 18-21 and 23-25 under 35 U.S.C. § 103(a) as being unpatentable over Burr as applied to claims 1, 2 7 8 and 14 above and further in view of Bae et al. al (20040075143 A1).**

The rejection of claims 12, 13, 15, 18-21 and 23-25 under 35 U.S.C. § 103(a) as being unpatentable over Burr as applied to claims 1, 2 7 8 and 14 above and further in view of Bae et al. al (20040075143 A1) is acknowledged. Reconsideration and withdrawal of the rejection is respectfully requested in view of the amendments.

**Claims 12 13 15 and 18-21 depend from allowed amended parent claim 1**

Claims 12 13 15 and 18-21 depend from allowed amended parent claim 1 are should be allowable.

This amendment is not a concession that the previous versions of claims are not allowable. This amendment made to accelerate the allowance of claims. Applicant still maintains that previous claim 1 and it's depend claims are allowable for the reasons stated in the previous response to office action.

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**Parent Claim 23 is allowable**

Parent claim 23 states:

23. (PREVIOUSLY PRESENTED) A method of forming a semiconductor device comprising:

- a) forming a gate structure over a substrate being doped with a first conductivity type impurity;
- b) performing a doped depletion region implantation by implanting ions being a second conductivity type to the substrate to form doped depletion regions beneath and separated from said source/drain regions;
  - (1) said doped depletion regions have an impurity concentration and thickness so that said doped depletion regions are depleted due to a built-in potential created between said doped depletion regions and said substrate;
- c) performing a S/D implantation by implanting ions being the second conductivity type into the substrate to form source and drain regions adjacent to said gate structure;
  - (1) said substrate between said source and drain regions and said doped depletion regions has a concentration of a first type impurity between 1E16 to 1E18 atom/cc;  
**said doped depletion regions have an impurity concentration so that the built-in potential between said doped depletion regions and said substrate forms depletion regions in the substrate between the source and drain regions and the doped depletion region; said depletion regions have a net impurity concentration of the first conductivity type; said depletion regions have a net impurity concentration between 1E16 to 1E18 atom/cc.**

Parent claim 23 contains the at least the subject matter limitations of currently (allowable) amended claim 1 (that is allowable because claim 1 now contains the limitations of objected to claim 3. ). Please note that the bolded section of claim 23 above is the subject matter limitation of previously objected to claim 3.

In addition the first 3 lines of the claim 23 limitation c)(1) "said substrate between said source and drain regions and said doped depletion regions has a concentration of a first type impurity between 1E16 to 1E18 atom/cc;" appears to be an additional limitation not contained in amended parent claim 1.

Claim 23 (bottom 2 lines) also contains the limitation "said depletion regions have a net impurity concentration between 1E16 to 1E18 atom/cc." not found in claim 1.

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In addition, claim 23 is allowable for the reasons give in the previous office action.

Therefore claim 23 is allowable.

Dependent Claims 24 and 25 are allowable

Dependent Claims 24 and 25 are allowable because they depend from allowable claim 23. Also, because of the reasons given in the previous office action.

**OBJECTED TO SUBJECT MATTER**

The objection to claims 3-6, 9-11, 16, 17, 22, 26, and 27 as being dependent upon a rejected base claims, but allowable if rewritten in independent form is acknowledged.

Claim 3 is incorporated into parent claim 1. Therefore parent claim 1 and all dependent claims are allowable. Therefore, Claims 4-6, 9-11, 16, 17, 22 are allowable.

Applicant requests that the rewriting of allowable claims 26 and 27 be held in abeyance pending the final determination of the allowability of the parent claim 25. As explained above, parent claim 25 comprises at least the limitations of allowable currently amended claim 1.

**ALLOWABLE CLAIMS 38-40**

Applicant gratefully acknowledges the allowance of claims 38-40.

**CONCLUSION**

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It is believed that all the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of the unpatentability of the claim prior to its amendment.

In conclusion, reconsideration and withdrawal of the rejections are respectfully requested. Allowance of all claims is requested. Issuance of the application is requested.

It is requested that the Examiner telephone the undersigned attorney at (215) 670-2455 should there be anyway that we could help to place this Application in condition for Allowance.

**Charge to Deposit Account**

The Commissioner is hereby authorized to apply any fees or credits in this case, which are not already covered by check or credit card, to Deposit Account No. 502018 referencing this attorney docket. The Commissioner is also authorized to charge any additional fee under 37 CFR §1.16 and 1.17 to this Deposit Account.

Respectfully submitted,

/William J. Stoffel REG # 39,390/

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